

HOUSE BILL No. 1319

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-31; IC 8-18-8-5.

Synopsis: Unclaimed pari-mutuel tickets. Requires the amount of an unclaimed or un-presented pari-mutuel wagering ticket paid to the horse racing commission each year to be transferred to the county treasurer of the county that contains the racetrack: (1) from which the payment was made; or (2) that is owned by the permit holder that operates the satellite facility from which the payment was made. Requires counties to use the money to pay expenses incurred in the maintenance of county highways. Provides that the money may not be appropriated to the county highway department to pay for employees' personal services.

Effective: July 1, 2009.

Lutz, Eberhart

January 13, 2009, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1319

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-31-9-10 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) At the close of
3 each day on which pari-mutuel wagering is conducted at a racetrack or
4 satellite facility, the permit holder or satellite facility operator shall pay
5 the breakage from each of the races on which wagers were taken on
6 that day to the auditor of state for deposit in the appropriate breed
7 development fund as determined by the rules of the commission.
8 (b) Not later than March 15 of each year, each permit holder or
9 satellite facility operator shall pay to the commission the balance of the
10 outs tickets from the previous calendar year. **The commission shall**
11 **keep separate records and account for each permit holder and**
12 **satellite facility operator making a payment under this subsection.**
13 **Before April 15 of each year, the commission shall** ~~distribute money~~
14 **transfer an amount equal to each payment** received under this
15 subsection ~~to the appropriate breed development fund as determined by~~
16 ~~the rules of the commission.~~ **to the county treasurer of the county**
17 **that contains the racetrack:**

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- 1 (1) from which the payment was made; or
 2 (2) that is owned by the permit holder that operates the
 3 satellite facility from which the payment was made.

4 (c) Money transferred to a county treasurer under subsection
 5 (b) must be used in accordance with IC 8-18-8-5 to pay expenses
 6 incurred in the maintenance of county highways.

7 SECTION 2. IC 4-31-11-11 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. Each development
 9 fund consists of:

- 10 (1) breakage ~~and outs~~ paid into the fund under IC 4-31-9-10;
 11 (2) appropriations by the general assembly;
 12 (3) gifts;
 13 (4) stakes payments;
 14 (5) entry fees; and
 15 (6) money paid into the fund under IC 4-33-12-6.

16 SECTION 3. IC 8-18-8-5 IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) Except as provided in
 18 subsection (c), all expenses incurred in the maintenance of county
 19 highways shall be paid out of funds from the gasoline tax, special fuel
 20 tax, and the motor vehicle registration fees that are paid to the counties
 21 by the state, and from funds derived from the:

- 22 (1) county motor vehicle excise surtax;
 23 (2) county wheel tax;
 24 (3) county adjusted gross income tax;
 25 (4) county option income tax;
 26 (5) outs (as defined in IC 4-31-2-10.1) paid to the county under
 27 IC 4-31-9-10(b);
 28 ~~(5)~~ (6) riverboat admission tax (IC 4-33-12); or
 29 ~~(6)~~ (7) riverboat wagering tax (IC 4-33-13).

30 (b) Except as provided in subsection (c), no ad valorem property tax
 31 may be levied by any county for the maintenance of county highways,
 32 except in an emergency and by unanimous vote of the county fiscal
 33 body.

34 (c) The county fiscal body may appropriate money from the county
 35 general fund to the county highway department to pay for employees'
 36 personal services.

37 (d) Money paid to the county under IC 4-31-9-10(b) may not be
 38 appropriated to the county highway department to pay for
 39 employees' personal services.

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